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IN THE

Supreme Court of the United States

OCTOBER TERM, 1961

No. 644

GEORGE CASEY,
Petitioner,
vs.
UNITED STATES OF AMERICA,
Respondent

APPELLANT'S SUPPLEMENTAL APPENDIX

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STIPULATION

It is hereby stipulated and agreed by and between the parties hereto, through their respective attorneys, that the excerpts of testimony contained in the Appellant's Supplemental Appendix are accurate reproductions of the testimony as contained in the transcript of the trial, and may be used by the appellant in preparing a petition for a

Writ of Certiorari to the Court of Appeals for the Sixth Circuit.

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Dated: this 19th day of December A.D. 1961,
Detroit, Michigan.

APPELLANT'S SUPPLEMENTAL APPENDIX

(Figures in parentheses refer to page numbers of the trial transcript)

(6) KILMAN, WILLIAM D., was called as a witness on behalf of the Government and, having been first duly sworn, testified as follows:

• • • • •

(7) Q. What was that information?

A. Agent Ritchie reported to me that Eduardo Rojo of Ciudad Acuna, Coahuila, Mexico, was going to ship a large quantity of marihuana into the United States.

• • • • •

A. He told me one would be a 1951 model Cadillac, green in color, bearing Mexican license, from the State of Coahuila, #C-9038, that the other vehicle would be a 1950 Chevrolet sedan, dark gray and green in color, bearing Coahuila license #343516.

Q. Did you maintain a watch for those vehicles?

A. Yes, sir.

Q. Where?

A. At the International Bridge that entered from Mexico into Del Rio, Texas.

• • • • •

(8) Q. Did you maintain any observation of these vehicles, either one or both?

A. Yes sir, periodically and I preceded them as they departed Del Rio late that evening, as they departed Del Rio on Highway #90, going towards Uvalde, Texas.

• • • • •

(13) Q. Did you see the vehicle enter the Hitching Post Motel?

A. Yes sir.

• • • • •

(14) Q. Do you know whether or not any of the individuals got out of the car at the Hitching Post Motel?

A. I was advised by radio that they all got out.

• • • • •

Q. After you were given such advise; what did you do, sir?

A. After Agent Pugh called me on his radio and stated that the three men were getting into the Green Cadillac, I moved away from the entrance to the motel and concealed my car where I could watch the exit, and after I saw this green Cadillac leave with the three men in it, and was advised by Agent Magee that they had arrived at the Cozy Cafe, in downtown Uvalde, and had gone inside to order some food, I went afoot into the Hitching Post Motel and sneaked up to the 1950 model Chevrolet and I tried the doors, and the right rear back door was not closed, and I looked inside the back door and examined it.

Q. Could you gain access to the automobile.

A. Yes, sir, the door was not locked.

Q. What time of the night was this?

A. To the best of my recollection, it was about 10 o'clock on the night of March 9th.

• • • • •

(15) A. Well, I didn't use a light there at that time. I didn't want to be too noticable, you know, fooling around this car • • •

• • • • • •

Q. Did you examine or did you look inside the footlockers?

A. No sir, I noticed they both had padlocks on them, but I picked them up to test their weight, and they were both very heavy.

Q. How long did you remain at the Hitching Post Motel?

A. I kept it under surveillance all that night.

Q. Were you alone?

A. No sir, I was alone in my automobile, but Agents Pugh and Magee were assisting me.

• • • • • •

(70) MAGEE, WILLIAM A., JR., was called as a witness on behalf of the Government and, having been first duly sworn, testified as follows:

• • • • • •

(82) A. I saw Gueri, and a man known to me as Lomas enter the Painter Bus Station with two metal footlockers each and approached the ticket agent and purchased some tickets.

Q. That would be a total of four footlockers, is that right?

A. Four footlockers.

• • • • • •

Q. After you saw these men go to the ticket office, what did you do?

A. I remained in the entrance to the adjoining cafe, opposite the ticket desk, until they left.

• • • • • •

Q. Did you make an examination of them (the footlockers) after the men left?

A. Well, the footlockers were set, I believe, on a low baggage reception counter and they left that depot, and as soon as they were out of sight I identified myself to the manager of the bus station, and we examined the footlockers, and (83) made inquiry as to the men and the tickets they purchased and the destination of the footlockers.

• • • • •

(85) Q. Did you make a further examination of the footlockers?

A. I did.

Q. Where?

A. In D'Hanis, Texas.

Q. What kind of an examination did you make?

A. I examined the contents of one of the suitcases.

Q. What was in the suitcase that you examined?

A. I found many wax-paper wrapped packages containing a green weedy substance which appeared to be marihuana.

Q. Do you recall about how many?

A. I did not count them, as I would be detaining the bus at this time. I estimated there were about 40 packages.

• • • • •